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February 2, 2007

The Hon. Phyllis J. Hamilton
United States District Court
Northern District of California
450 Golden Gate Ave.
Courtroom 3, 17th Floor
San Francisco, CA 94102

Re: Tehirian v. City and County of San Francisco, # C-06-6807 PJH

Dear Judge Hamilton:

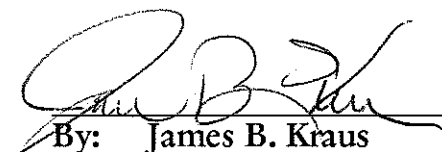
This office represents plaintiffs Ara Tehirian, et al., in their civil rights lawsuit against the City and County of San Francisco. This action stems from denial of the Tehlirians' building permit application several years ago. The Tehlirians sought a state court writ of administrative mandate to compel the City to issue the permit. The trial court denied the writ. The Tehlirians appealed. To protect themselves from the statute of limitations, they filed the instant federal court lawsuit during the pendency of the appeal.

Because the decision in the state appeal may significantly affect the federal suit, the Tehlirians held off serving the complaint here, expecting oral argument and decision in the not-too-distant future. Unfortunately, the appeal has taken some time – the case was fully brief and the record sent to the Court for review on August 2, 2006. On January 30, 2007, the Court finally set oral argument for February 21, 2007. By rule, the Court then has 90 days to issue its decision, though the Tehlirians anticipate a swifter determination, in part due to the length of time which the Court has had to review the record.

Plaintiffs request a 30 day continuance of the case management conference to March 8 at 2:30 p.m. to further update this Court on the status of the state appeal. I am attaching a proposed order. Thank you.

Sincerely,

ZACKS UTRECHT & LEADBETTER, P.C.


By: James B. Kraus
Attorneys for all Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ARA TEHLIRIAN
BERG TEHLIRIAN,
ABT, LLC, a California Limited
Liability Company,

Plaintiffs,

v.

CITY AND COUNTY OF SAN
FRANCISCO, a California
municipal corporation,

Defendant.

ACTION NO: CV 06-06807 PJH

ORDER CONTINUING CASE
MANAGEMENT CONFERENCE

Pursuant to Plaintiffs' letter request to this Court of February 2, 2007,
the Court hereby continues the case management conference from February 8, 2007
to March 8, 2007 in Courtroom 3, 17th floor, at 2:30 p.m. Plaintiffs shall update the
Court on their state court appeal in Tehlririan v. City and County of San Francisco,
appeal # A112246, seven days prior to March 8, and as soon as possible thereafter
should a final disposition of that appeal occur between March 1 and March 8, 2007.
NO FURTHER CONTINUANCES WILL BE PERMITTED.

Date: February ⁵, 2007

Phyllis J.
Federal Dis

